

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

ORDER

APPLICATION	5297	PERMIT	3603	LICENSE	6275
	5299		3605		6276
	8843		5136		6277
	8844		5137		
	8845		5138		5398

ORDER AMENDING LICENSES AND DIRECTING  
ISSUANCE OF A LICENSE

WHEREAS Citizens Utilities Company of California owns and operates an integrated water supply system for service to the community of Felton and adjoining area by diversion of water from several sources under several appropriative water rights to wit:

LICENSES 6275, 6276 AND 6277 ON BENNETT CREEK

LICENSE 5398 ON FALL CREEK

PERMIT 5137 ON BULL CREEK AND BULL SPRING

WHEREAS the terms of Licenses 6275, 6276 and 6277 limit simultaneous diversion from Bennett Creek to 0.67 cubic foot per second, and

WHEREAS License 5398 authorizes a maximum diversion from Fall Creek of 0.71 cubic foot per second, and

WHEREAS water diverted from Fall Creek under License 5398 is commingled with the water diverted from the other

Application 5297, et al

sources and the license should for this reason be limited with these other diversions and in addition thereto, and

WHEREAS an inspection has been conducted and it has been determined that use of water from Bull Creek and Bull Spring under Permit 5137 is complete and license should be issued limiting diversion from these sources to 0.42 cubic foot per second, and

WHEREAS inspection has also determined that the total amounts of water diverted, commingled and placed to beneficial use under all five rights has been 0.71 cubic foot per second during the week of maximum use and 291 acre-feet per year, and

WHEREAS Mr. Ted Chenault, Vice President and General Manager of the Citizens Utilities Company of California, has agreed to the amendment of the licenses as ordered herein,

NOW THEREFORE IT IS ORDERED that a license be issued on Permit 5137 for 0.42 cubic foot per second, and

IT IS FURTHER ORDERED that Licenses 5398, 6275, 6276 and 6277 and the license to be issued on Permit 5137 all be subject to the limitation that simultaneous diversions under all five licenses shall not exceed 0.71 cubic foot per second and that the total amount of water diverted under all five licenses shall not exceed 291 acre-feet per year.

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Adopted as the order of the State Water Resources  
Control Board at a meeting duly called and held at Sacramento,  
California.

Dated: April 1, 1971

KERRY W. MULLIGAN

Kerry W. Mulligan, Chairman

E. F. DIBBLE

E. F. Dibble, Vice Chairman

NORMAN B. HUME

Norman B. Hume, Member

RONALD B. ROBIE

Ronald B. Robie, Member

W. W. ADAMS

W. W. Adams, Member

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 8843

PERMIT 5136  
Felton Water Company  
Box 338  
Felton, California

LICENSE 6277

THIS IS TO CERTIFY, That

has made proof as of July 17, 1959,  
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of  
Bennett Creek in Santa Cruz County

tributary to Fall Creek thence San Lorenzo River

for the purpose of domestic use  
under Permit 5136 of the State Water Rights Board and that said right to the use of said water has been  
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the  
terms of the said permit; that the priority of the right herein confirmed dates from December 5, 1936  
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited  
to the amount actually beneficially used for said purposes and shall not exceed five-tenths (0.5) cubic foot  
per second to be diverted from January 1 to December 31 of each year.

Simultaneous diversion under licensed Applications 5297, 5299 and 8843 shall not  
exceed sixty-seven hundredths (0.67) cubic foot per second.

The point of diversion of such water is located :

South five hundred seventy-six (576) feet and east forty-one (41) feet from  
NW corner of Section 21, T10S, R2W, MDB&M, being within NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 21.

A description of the lands or the place where such water is put to beneficial use is as follows:

Within the service area of the Felton Water Company being within fractional and  
projected Sections 16 and 21, and projected Sections 15, 22, 23, 26, 27, and 28,  
T10S, R2W, MDB&M, as shown on map dated January 9, 1958, filed with State Water  
Rights Board.

All rights and privileges under this license including method of diversion, method of use and quantity of water  
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the  
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of  
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time  
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein  
specified and to the lands or place of use herein described.

*This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:*

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: MAY 5 1961



*L. K. Hill*  
L. K. Hill  
Executive Officer

8-10-62 RECEIVED NOTICE OF ASSIGNMENT TO *Citizens Utility Company of Calif*

LICENSE 6277

STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Felton Water Company

MAY 5 1961

DATED